

### REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 10-17 have been canceled in favor of new claims 18 and 19. Support for the subject matter of the new claims is provided in claims 1-17 and the specification on page 10, line 2, through page 11, line 27. The amendments were not presented earlier due to the unforeseeability of the remarks presented in the Final Rejection.

Claims 10, 11, 13-15, and 17 were rejected, under 35 USC §103(a), as being unpatentable over Nakano et al. (US 5,933,782) in view of the Applicants' Description of the Related Art, Nagano et al. (US 6,011,980), and Zehavi (US 5,757,767). Claims 12 and 16 were rejected, under 35 USC §103(a), as being unpatentable over Nakano in view of the Applicants' Description of the Related Art, Nagano, Zehavi, and Ostman et al. (US 6,697,347). To the extent these rejections may be deemed applicable to new claims 18 and 19, the Applicants respectfully traverse based on the points set forth below.

The claimed invention relates to open-loop transmission power control that utilizes the symmetry of propagation paths in

a TDD system having a plurality of antennas. Features of the invention defined by claims 18 and 19 include:

(1) measuring and averaging the reception power of a midamble of each signal transmitted from a plurality of antennas of a communicating party, weighting the plurality of measured reception power average values, and combining the weighted reception power average values to obtain a combined reception power and

(2) performing open loop transmission power control using a value obtained by adding the interference power at the base station apparatus and a predetermined constant to a propagation loss, which is the difference between the transmission power of the base station apparatus and the combined reception power.

By contrast to the above-noted claim features, the Applicants note that Nakano discloses, in Fig. 11, combining outputs of despreading units 19a and 19b at combining unit 21 and detecting the SIR using the combined signal at an SIR detection unit 33. Thus, Nakano merely discloses combining despread signals and then measuring the reception power of the combined signal.

However, the Applicants note Nakano does not disclose the above-noted feature recited in claims 18 and 19 of providing a plurality of measurers that measure and average respective

reception powers of midamble parts of received transmission signals. The Applicants further note that Nakano does not disclose averaging reception powers, weighting reception power average values, and combining the weighted reception power average values.

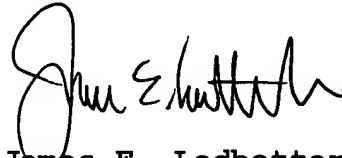
Regarding the secondary references, the Applicants' Description of the Related Art, Nagano, Zehavi, and Ostman are not cited for teaching the above-noted features, and the Applicants submit that these references do not supplement or cure the teachings and deficiencies of Nakano as to these features.

Accordingly, the Applicants respectfully submit that the applied references, whether considered alone or together, do not teach or suggest the subject matter defined by claims 18 and 19. Specifically, the references fail to teach or suggest the claimed features of measuring and averaging the reception power of a midamble of each signal transmitted from a plurality of antennas of a communicating party, weighting the plurality of measured reception power average values, and combining the weighted reception power average values to obtain a combined reception power. Therefore, it is submitted that allowance of claims 18 and 19 is warranted.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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